IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.15373 of 2008
ARJUN YADAV & ORS
Versus
STATE OF BIHAR
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3. 9.9.2008 Heard the learned counsel for the petitioners and the State.

The petitioners are apprehending their arrest in connection with Bounsi P.S. Case No.147/2007 for the alleged offences registered under sections 379 and 384/34 of the Indian Penal Code.

It is submitted on behalf of the petitioners that the allegations against these petitioners are that they came to the land in question and took away mangoes worth Rs.3,000/- and also demanded Rs.5,000/-as *Rangdari*. Learned counsel submits that on perusal of the description of the land given in the F.I.R., it would appear that for the same land a criminal case was lodged by one Mahesh Kant Jha. The petitioners are the watchman of the orchard of Mahesh Kant Jha. Cases were filed by Mahesh Kant Jha against the informant of this case and their witnesses in which they were convicted vide Annexures 4, 5 and 6.

The learned APP appearing for the

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State is not in a position to refute the submissions made on behalf of the petitioners.

Considering the above, it is directed that petitioner no.1 Arjun Yadav, petitioner no.2 Mantu Yadav and petitioner no.3, Hira Kr. Yadav @ Hira Yadav, in the event of their arrest or surrender in connection with Bounsi P.S. Case No.147/2007, within a period of four weeks from today, be enlarged on bail on furnishing bail bonds of Rs.10,000/-(Ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Banka, in connection with the aforesaid case, on the conditions mentioned in sub-section (2) of section 438 of the Code of Criminal Procedure.

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PNM **(Shailesh Kumar Sinha, J.)**